

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Tenesaca,

Plaintiff,

—v—

Gemelli Restaurant Group et al.,

Defendants.

19-cv-10976 (AJN)

ORDER

ALISON J. NATHAN, District Judge:

On September 3, 2021, the Court, after several express warnings, dismissed this action with prejudice for failure to prosecute. Dkt. No. 27; *see* Dkt. Nos. 25, 13, 9. On September 17, 2021, Plaintiff moved the Court to reconsider its Order. Dkt. No. 28.

The Court GRANTS Plaintiff's motion and vacates its Order dated September 3, 2021. The Court will provide Plaintiff's counsel one last opportunity to follow this Court's orders and to prosecute this action with the care and urgency that counsel insists it deserves. *Cf.* Dkt. No. 28 at 7 (citing Plaintiff's "need of extra protection" and describing the FLSA as a "uniquely protective statute").

By October 9, 2021, Plaintiff shall serve on all Defendants (1) a copy of this Order and (2) a copy of the Court's order dated June 10, 2020. Plaintiff shall file affidavits of service as to each Defendant on the public docket. If Defendants are in default, Plaintiff shall within 21 days of this Order file for any certificates of default. Within 7 days of obtaining certificates of default, Plaintiff shall move for default judgment.

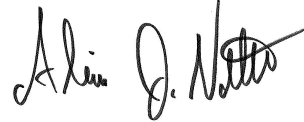
Failure to comply with this schedule without adequate excuse submitted in writing in

advance of any due date will result in dismissal with prejudice.

This resolves docket number 28.

SO ORDERED.

Dated: October 4, 2021  
New York, New York

A handwritten signature in black ink, appearing to read "Alison J. Nathan", written over a horizontal line.

ALISON J. NATHAN  
United States District Judge